*Previous references.*

Letter No 33 dy 13th May 1864 from the H.S to the Govt of India to the Commissioner of Mysore.

*Later references.*

1910-11.

( Courts )

File No. 214-C

Serial Nos. 1-5.

# GENERAL AND REVENUE SECRETARIAT.

---

*Serial Nos.* 1-5.

**Part B. for** November 1911

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SUBJECT.

Authorising such of the Amildars as are not exercising magisterial powers to try criminal cases referred to them.

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Contents

1. From the Dpty. Mysore - No 576 dy 15-3-11.
Requests that, for reasons stated, the Amildar magistrate of the Mysore Taluk who has been divested of the power to take cognisance of cases may be authorised to try at least such of the cases as may be referred to him by the 1st magistrate.
2. To Mr Kantaraj Urs, Dy, Mysore DOM 2489 dy 25-6-11.
Requests him to favour Govt with his opinion on the subject of restoring criminal powers to the Amildars



S Ananta Rama Iyer
14/11/11

of Bangalore and Mysore Talukas as part of a scheme to abolish the City Magistrates' Courts at Bangalore and Mysore for providing some savings to meet the cost of establishing a Dt. and Sessions Court at Bangalore.

2. From Mr Kantaraj Urs Esq. D.C. Mysore Dt. DO dy 1-7-11. states that it is absolutely necessary to have one full-time paid magistrate with 1st class powers for Mysore City, that a competent and experienced amildar will do just as well as an Asst. Commr for Mysore and that it is not feasible to get the Dt Treasury Officer or the Division Assistant Commr to try the first class cases of the City.

2. To the Deputy Residents of Bangalore and Mysore City municipalities MJ500-1 dy 7-8-11.
Requests to be furnished with opinions in the matter of combining the municipal and magisterial functions in Bangalore and Mysore Cities.

3. From Mr Kantaraj Urs DO dy 25-9-11.
Furnishes his opinion in the matter.

4. From the Dt magistrate, Bangalore and Resident, Bangalore City municipality. No 338 dy 28-3-12.
Furnishes his opinion in the matter.

5. To the Dy Com, Mysore No J1573 dy 28-11-12.
States that there is no objection to the Amildar-magistrate of Mysore trying such cases as may be specially referred to him by the D.C.

GENERAL AND REVENUE SECRETARIAT

( Courts )

NOTES.

Cts. File No. 214-10.

FILE HEADING.

Authorizing such of the Amildars as are not exercising magisterial powers, to try Criminal Cases referred to them

From The District Magistrate of Mysore.

No. 516 Dated 15·3·11. Received 17·3·11.

Diary No. J 2345 | Enclos. – Spare Copies | Serial No. 1

BRIEF ABSTRACT OF LETTER.

Requests that for reasons stated, the Amildar of the Mysore Taluk (among others) who has been divested of the power to take Cognizance of Cases, may be authorized to try at least such of the Cases as may be referred to him by the Distt. Magte.

NOTES AND ORDERS.

Subd for orders

Secy (22) 18.3.11. SN (11)

The proposal can not, it seems to me, be viewed with favour. The ~~Dy Co~~ Distt Magte, no doubt, tries to justify his recommendation on the ground that it will not materially

NOTES—First sheet.

GPB—15,000—24-4-09

G. R. S. 12 ]
General and Revenue Secretariat.

Cl File No. 214 of 1910 -

Serial No.

affect the experimental measure of the separation of the judicial and executive ~~Off~~ functions. ~~It~~ It is not however clear how this can be so. The Dt Magte proposes to transfer cases to Amildars occasionally. If ~~the~~ cases to be so transferred are those arising within the revenue jurisdiction of the Amildar ie, within the Taluq, the very object of the divesting of magisterial functions is defeated. The same would be the case, ~~If on the other hand~~ though not to an equally great extent, if the cases proposed to be transfered are those arising beyond the ~~jurisdiction~~ Taluq of which the Magte is the Amildar. There is besides ~~a~~ further objection to this latter course based on its inexpediency. It would be a source of considerable inconvenience to the parties and witnesses to be called upon to attend, in petty cases, at a distant Court which is beyond the Taluq in which they reside or in which the cases have occurred.

3. The subject was discussed at considerable length when the same Dt Magte proposed the empowering of Amildars to try cases ~~cases~~ under the Village Sanitation Regulation and under Sec 290 D.P.C., last year. The opinion of all Dt Magtes was taken, ~~It was not drawn into favour~~

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12 ]
General and Revenue Secretariat.

Cp File No. 214 of 19/0 -

Serial No.

and ~~not~~ it was eventually decided to empower the Mysore Amildar alone, as the idea of accepting the proposal generally did not receive unanimous support.

4 In these circumstances, the present proposal, which involves a far wider departure from the intentions of Govt. in inaugurating the scheme, can not it seems, be viewed favorably.

Secretary) Bz 21.3.11

5 I do not think that much importance need be attached to the theoretical desirability of the separation of judicial & executive functions in dealing with this case. The experiment made has been on a microscopic scale and a reversion to the Status quo ante is not likely to be taken as any serious ~~the~~ retrogression or any abandonment of the ~~ideal~~ Separatist ideal. But so far as the Mysore Taluk is concerned the City Magte has light enough work and the taluk, being a head quarter taluk, ~~is~~ is likely to

NOTE—Contn. sheet.

GPB—50,000—12-8-10

Serial No.

require the full time & attention of the amildar in the prompt disposal of revenue, police and miscellaneous work. It is absurd to say that an officer will forget his magisterial work by a suspension of active judicial duty for 2 or 3 years. His duties as head of the taluk police ought to keep him in sufficient touch with the work.

6. There is probably an idea that the amildar's prestige is lost because he is not a magte and hence the recommendation; but this idea seems to be one that should not be encouraged.

7. The proposal may be rejected.

1903 — 2nd C. & Dewan) — CSB 11/4/11

8. I agree with the Secy. — SA — 11/4/11

12/4/11 — Hon — 11/4/11

11090 — 15.4.11 (Dewan) — 9. Govt. retore magtes powers & the amildar, & give add. work & the city magte municipal magte. Nobody appreciates these powers having separated judl. from executive functions in myore. hence had better have omissions in Kanara & Malabar etc. 19/4

Colomb

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12 ]
General and Revenue Secretariat.

File No. of 19

Serial No.

1/ Circulate

SB
1/6/11

SH
1/6/11

2. Comm. Tax
2/6/11

1/ Seen.
may be considered in Comm.

KKN
2/6/11

NOTE— Contn. sheet.

GPB—50,000—12-8-10

12130
19-6-11

Extract from the Proceedings of the 264th Meeting of the Council of His Highness the Maharaja, held at Mysore on the 15th & 16th ~~191~~ June 1911.

1. Subject. -

Question of re-investing the Amildar of the Mysore Taluk with Magisterial powers.

OPINION OF THE COUNCIL.

The District Magistrate may be told that he may refer cases to the Amildar-Magistrate, as there is no objection to that course under the existing orders.

Sd. T. Ananda Row,
Dewan of Mysore.

"Extract"

C.S. Balasundaramayya
Offg. Secretary to Govt.

*Submitted to His Highness.*

12 With reference to the Government order of

4. October 1907 directing that the Amildars of Bangalore, Mysore, Hassan, Kolar, Hole-Narasipur, Sagar and Maddagiri be relieved of their magisterial duties, the District Magistrate of Mysore has enquired whether there is any objection to Criminal cases being referred to the Amildar Magistrate of the Mysore Taluk for disposal, although the Amildar will have no jurisdiction to take cognisance otherwise of cases arising within the taluk. The District Magistrate proposes this as a measure calculated to enable the Amildar to keep in touch with magistrial work.

Paper under discussion

13 2. The Council has considered the question and is of opinion that the District Magistrate may be informed that he may refer cases to the Amildar Magistrate as there is no objection to that course under the existing orders.

14 3. This may be approved.

15 4. At the same time I beg to add that it is by far preferable to let the Amildar revert to the former practice of being a defacto Magistrate in his Taluk. There

is little gained by the separation of magisterial functions from him and the process of referring cases to him now conceded entails the task first of entertaining a case, or an application for transfer, or calling for the records, and then of transferring the case to the Magistrate, all which means delay and vexation.

Yr. [illegible]

Record of Cases submitted for the Orders of His Highness the Maharaja

## *Subject.*

Question of re-investing the Amildar of the Mysore Taluk with Magisterial powers.

No. 782

Returned with D.O. No. 398 of 24.6.11

## *Order.*

No. H 2728

D.O. No. 398
1 file

PRIVATE SECRETARY MYSORE

The Palace,
Mysore,
24th June 1911.

My dear Sir,

His Highness directs me to return the accompanying papers and to enquire whether the restoration of magisterial powers to the Amildar of Mysore Taluk would render possible the abolition of the post of City Magistrate Mysore and thus provide some savings to meet the cost of the Bangalore District and Sessions Court. The two questions might with advantage be considered together.

Yours sincerely

Recommend

T. Ananda Rao, Esq. C.I.E.
Dewan of Mysore.

G. R. S. 12 ]
General and Revenue Secretariat.

File No. of 19

Serial No.

To

M. Kanakaraj Urs Esq Deputy Comr
Mysore Dh. D.O no 2489 dy 25th June 1910

Requesting him to favour
Govt with his opinion on the subject
of restoring Criminal powers to the
amildars of Bangalore & Mysore Taluks
as part of a scheme to abolish
the city Magistrate courts (at
Bangalore & Mysore) for providing
some savings to meet the cost of
establishing each a Dist & Sessions
Court at Bangalore.

From

M. Kanakaraj Urs Esq Deputy Comr
Mysore Dh. Dc dated the 1st July 1911

Stating that it is absolutely
necessary to have one full-time paid
magistrate with first-class powers for the
city; that a competent and experienced
amildar will do just as well as an
Asst Comr for Mysore and that it is
not feasible to get the Dist Treasury
Officer or the Dy Asst Comr to try the
first-class cases of the city.

NOTE— Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12 ]
General and Revenue Secretariat.

As File No. 214 of 1910

Serial No.

Dewan's order on D.C letter dated 1st June 1911 received from the Deputy Commissioner, Mysore district.

Circulate to Councillors.
12/7 J. A. R.
17th July 1911

1 | 16 | Circulate
17/7/11

17 Seen. I am still of opinion that there is room to take away one of the Vice Presidents & tack on the additional work to the City Magte. I am against investing the Taluk Amildar with 1st cl. Powers -
20/7/11

18 The opinions of the Dist Magistrate & Muni Presidents of Bangalore & Mysore maybe invited on the above points. i.e KVR Combination of Muni & Magisterial duties
23/7/11

19 Ill prepare draft please
22/7/11

24/7/11

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12 ]
General and Revenue Secretariat.

C5 File No. 214 of 1910-11

Serial No.

Draft Subd
HCS(122) SW(11)
31.7.1911

1/8/11

Issue
C5
2/8/11

2/8/11

2 To The Dt. Magte & President of Bangalore & Mysore City Municipalities nos J 500-1 dy 7.8.11.

Six Requests to be furnished with opinion in the matter of combining the Municipal & magisterial functions in Bangalore & Mysore cities.

3 From Dr. M. Kantaraj Urs Do. dy 25.9.11.

Furnishes his opinion in the matter

4 From The Dt. Magte & President, Bangalore no. 358 dy 28.3.12

Furnishes his opinion in the matter

Subd. for orders.
V.N.(123) SW(11)
2.4.12 6/4/12

The Deputy Comr of Bangalore is decidedly against the proposed change as he thinks that the combined duties of a Vice-president and City Magistrate

NOTE— Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]

General and Revenue Secretariat. | Ch File No. 214 of 1910.

Serial No.

are too heavy for one man in Bangalore.

Regarding Mysore, Mr. Kanthrajiah is of opinion that there is room for considerable retrenchment in the offices of the Municipality and the Trust Board and he considers that if the latter institution is to continue the City Magistrate alone can not manage all the three functions viz. Vice-President, Chairman of the Trust Board and the City Magistrate. He suggests the abolition of the Vice-Presidentship as he thinks that the present System retards work.

There seems to be no doubt that both the City Magistrates are lightly worked — particularly the City Magistrate Mysore. The question is what additional work can appropriately be given to Each.

18/4/12

See 7) D & The combination of the V. P & City Magte seems to be rather undesirable & impracticable.

NOTE—Contn. sheet.

GPB—5,000—26-6-11

G. R. S. 12]

General and Revenue Secretariat. | Ch / File No. 24 of 1910

Serial No.

2 The City Magte may well look after a portion of the current work of the Dy Comm as a personal assistant to him. To prepare this arrangement would render necessary the location of the City Magte's court in the District office.

Which is impossible

Ths

Resubt to Crs

CSB 25/4/12

SH 26/4/12

2 Please hunt up papers relating to creation of the Town Magte's posts during the commission days.

SH 30/4/12

Ch. 30

Subs. Papers Connected with the appointment of a Town Magistrate for the City of Mysore are herewith Submitted (Please see letter N° 33 of 13.5.1864 from the Under Secy to the Govt of India addressed to the Commissioner of Mysore). References regarding

Hagt Ts.

NOTE—Contn. sheet.

GPB—5,000—26-6-11

General and Revenue Secretariat. | File No. 214 of 1910-11.

Serial No.

Vide Reg^r Slip below.

the establishment of a like Court at Bangalore are stated to be not traceable. Subd for orders.

Sec^y to Govt (Judl) 122 SFF(11) 17-5-12.

31 The appointment was started as an 'Extra Charge'

Subd to 2nd C^r

21/5/12

Law for removing the anomaly with Magisterial powers. Exists in the Talugs of Mysore & Bangalore but also elsewhere. It is essential that Asst Commrs should exercise Magisterial powers and I do not see the advantage of limiting these powers to a Municipal Town

NOTE—Contn. sheet.

GPB—20,000—20-1-12

Serial No.

Should himself be a civil judge. Different cases both civil & cr. works suffer. That a magistrate has no sufficient work is no reason to give him cr. work. In such cases either the Court should be abolished or more civil work given by enlarging his jurisdiction.

The functions of a civil magistrate is different from those of other magistrates he being a police magistrate & his duty & aim should be to give such as would of civil nature to the civil court to deal with the creation of such magistrate his work has become light to a certain extent what suggests

NOTE—Contn. sheet.

GPB—20.006—20-1-12

General and Revenue Secretariat.

Cls File No. 214 of 1910–11

Serial No.

to my mind as appropriate to ~~to~~ give him more of work by transfer of jurisdiction over one or two talugs from the Rev Subdr. officers. ~~There~~ file 34) However for a period of one year it may be tried in Mysore by giving the officiating municipal work & make him vice president also. Govt. not exclude it to Bangalore at present.

26/5/12

35

Submitted with Commissioner's as per Devanam's note on his Register dept. no. Dis. of 1st June 11.

29/5/12

29/5

Flag B

NOTE—Contn. sheet.

GPB—20,000—20-1-12

G. R. S. 12 ]
General and Revenue Secretariat.

File No. of 19

Serial No.

36 I agree to the Combination being tried in dispose, but if a separate office is to be maintained for the Trust Board, there is no saving at all. Perhaps a discussion at a meeting will facilitate a decision

9/6/12

1700
10-6-12

Dewan Esq 10/6

37 Secy
Please bring up at next meeting of Council 9 Aug 12

Secy
Note for next meeting

Esq
10/8/12

Note—Contn. sheet.

GPB—50,000—12-8-10

(21

G. R. S. 12 ]
General and Revenue Secretariat.

File No. of 19

| Serial No. | |
|---|---|
| 41 | Submitted with Copy of Council Resolution |
| 4097 / 31.10.12 | Dewan |

Note—Contn. sheet.

GPB—50,000—12-8-10

Municipal and the Magisterial functions. The District Magistrate of Bangalore is against the proposed change. The District Magistrate of Mysore is of opinion that there is room for retrenchment in the offices of the Municipality and the Trust Board and considers that if the latter institution is to continue, the City Magistrate alone cannot manage all the three functions viz. Vice-President, Chairman of the Trust Board and the City Magistrate. He suggests the abolition of one of the Vice-Presidents.

4. The matter was considered in the Council. The Council is of opinion that by investing the Amildar of Mysore City with magisterial powers, it will not be feasible to abolish the City Magistrate's place and that perhaps it may be feasible to combine the offices of City Magistrate and Vice-President of the Mysore City Municipality, but that even this cannot be done at present so long as the Trust Board is in existence and the Vice-President has to attend to the land acquisition and other work in connection with it.

Record of Cases submitted for the Orders of His Highness the Maharaja

## *Subject.*

Question of the possibility of abo lishing the post of the City Magistrate, Mysore, by the restoration of magisterial powers to the Amildar, Mysore Taluk.

2.11.12

408

## *Order.*

~~KRW~~

11/11/12

Secretary

Please submit draft

12.11.12

13/11/12

13/11

13/11/12

14/11/12

General and Revenue Secretariat.

File No. 9/11 of 191

2542

Serial No.

h. b. above.

Draft reply on the lines of the Council Resolution ℌ 15/16. 6. 1911. is submitted.

Hes 122 (W 11) 19.11.12. 20/11

No Draft may be appd.

Sir It is understood that no orders are necessary regarding the further questions started in Mr Chamberlain's D.O. and discussed in the Submission of the Dewan dated 2nd Nov 1912

No

25/11/12

Secy)

1092.

1st Consultor

22/11

Draft appd — 23/11/12

23/11

25/11

25/11/12

B 28/11/12

NOTE—Confn. sheet.

GPE—6[illegible],000—17-6-12.

R. S. 12]

General and Revenue Secretariat.

cf File No. 114 of 1910.

| Serial No. | |
|---|---|
| 5 | To the Dy. Commr. Mysore No. J1573 of 28-11-12 States that there is no objection to the Asstt. Magistrate of Mysore trying such cases as may be specially referred to him by the Dy. Commr. |

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

No. 516
Enc. No.

OFFICE OF THE District Magistrate
MYSORE DISTRICT,

Dated Mysore Camp 15th march 1911.

FROM

M. Kantaraj Urs Esq., B.A.
DEPUTY COMMISSIONER, MYSORE DISTRICT.

To

C. S. Balasundaram Iyer Esq., B.A.
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
GENERAL AND REVENUE DEPARTMENTS.

SIR,

With reference to G.O. No. J 1187-1227-Cls 1960-06-6 dated 13-10-1907 relieving some Amildars of the Province of their Criminal work, I have the honour to state as follows :-

The arrangement by which the Criminal work of some Taluks was assigned to purely judicial officers was adopted only as an experiment in the way of the separation of the Judicial from the executive control that used to be combined in one and the same person. With a view to carry out the above intentions of Government it is, in my opinion, not necessary that these should be entirely kept out of touch

III
193 Rev Dept

J.N. 345

190

From M. Kantaraj Urs Esq., B.A.
Deputy Commissioner
and District Magistrate
Mysore District.

To C.V. Balasundaram Iyer Esq., B.A.
Secy. to Govt. of Mysore,
Gen. & Rev. Depts.

Dated 15th March 1911

Despatched 16

Received

General No. 516

No.

Enclosure No.

---

Proposing that the Amildar of Nagar Taluk may be empowered to try such cases as may be referred to him occasionally.

GBPM—21-9-1910—1,000.

with their criminal work. It amply serves the purposes of Government, if these Amildars be given no jurisdiction over criminal cases arising within the limits of their own Taluks over which they wield their powers as Taluk Head of Police or the chief Revenue officer.

Some of these Amildars are, I believe, Magistrates of some standing and capable of doing justice to their criminal work without detriment to their other legitimate work and in fact it is not on account of any pressure that the criminal work is likely to entail that their powers have been withdrawn.

As it is not presumably the intention of Government that these Amildars who exercise their criminal powers when posted to other Taluks should be allowed to forget their criminal work at Mysore and other

Specified Taluks, I beg to propose with due deference to the spirit of the Government order in question that the Amildar of the Mysore Taluk — for there is only one such Amildar in my District — may be empowered to try at least such cases, as are referred to him for disposal by the under-signed from time to time.

It was only very recently that this Amildar was authorized to try cases arising under the Village Sanitation Regulation within his own Taluk jurisdiction.

Cr. 287-01
Mag W.

I have the honour to be,
Sir,
Your most obedient Servant,

District Magistrate,
Mysore District

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

No. 2489

Mysore
25 January

To,

M Kantaraja Urs Esq
Dy Commr
Mysore

My dear Sir,

Please refer to your D/L letter No. 576 of 15th March 04 proposing that the Amildar of Mysore Taluk may be empowered to try Criminal cases.

2 The subject of restoring Criminal powers to the Amildars of Bangalore & Mysore Taluks is engaging the attention of Govt as part of a scheme to abolish the City Magistrates' Courts (at Bangalore & Mysore) for providing some savings to meet the cost of establishing a Dist Sessions Court at Bangalore. There is an impression that, consequent on the formation of Bench Magistrates, the City Magistrates are lightly worked & that these Courts may be abolished altogether by empowering the Police to hold inquests. The first class cases within the

Mysore

MGCPB—30,000—5-4-05.

city limits may be fixed either by the Treasury Asst Commr or by one of the Dl Asst Commrs. Another proposal is to post a competent Amildar for Mysore Nizk Could be entrusted with. Irish class powers.

3. I would request your kindly favouring me with your views ~~as regards the abolition of the City Magistrate's Court &~~ ~~Despatch~~ in the matter.

Yours sincerely

Draft

(Drawn)

Yours sincerely

CM

Let me have a Kadatkar copy

Thu 1/July 11

Fr 2809

Office of the Deputy Commissioner,
Mysore District,
1st June 1911

Submitted with a copy.
CJK
1 July 11

Sir

In reply to your G.O. No 2489 of 25th ult I have now the honour to state as follows.

No doubt the formation of the Bench of Honorary Magistrates has met sometimes to lighten the pressure of the City Magistrate but this does not seem to be an appreciable extent. It however tends to abolish paid magistracy & place reliance upon the Bench of Honorary Magistrates alone. It has been found by our most experience of the working of this Court that it is difficult to get competent chairmen sometimes. And, after all, this Bench does

Of only petty cases such as nuisances and
like that. Apart from the Police Courts a magistrate
under the Summary Jurisdiction Acts are triable by the
Court of Summary Jurisdiction. Then it will be seen
that it is absolutely necessary to have
one full time paid magistrate with first class
powers for the City, whatever his status
or designation is to be.

2. A Competent & experienced Builder
will do just as well as an Architect
for this place. But the Police may be
employed to hold enquiries in all ordinary cases,
the more important ones being held
by the City Magistrate himself.

3. It is not possible to put the Building Act
& the Local Act into force by the Justices

Courts of this City - Before there can be any
other legislation which is aimed to put any restriction
upon such a use as was proposed by this Bill
there should, as I submit, be an inquiry into this
work. It was, if I remember right, the Bill
of this Corporation, whose Act objected to this Bill by
bringing additional work to the
detriment of their Judges' work. At this time,
the Lawyers to Corporation Court cases said
if this Bill were not passed many of our
Judges would be absent & in many cases
the delay was very considerable.
It equally inconvenient to take this as
a case of the Police Courts. In this
City, this District consists of Police Courts
with four Justices each. The S. Wd. is entitled
to try all first class cases of this State in
addition to second class cases also

of Toledo which have only 3½ C. roads
There are also the 1st. class cars of railroads the
which are being tried at present & the 2d roads.

Then it will be seen that ample work can
be found for one whole-time first class road
with its cars. in the city -

5. I hope I have answered all the
points contained in your letter under reply

Yours very
[illegible]

Office of the Dy Comr
Mysore District
18th June 1911

My dear Sir

In reply to your
DO No. 2489 dated 25th
ultimo but received on
27th idem I beg to state
as follows. No doubt the
formation of the Bench of
Honorary Magistrates has
gone someway to lighten
the file of the City Magistrate
but this does not seem to
be to any appreciable extent.
It would not do to abolish
paid magistracy placing
our reliance upon the Bench
of Honorary Magistrates alone

It

It has been found from our short experience of the working of this Court that it is difficult to get competent chairmen sometimes. And, after all, this Bench disposes of only petty cases such as nuisances under the Municipal Regulation and no Police cases or major offences under the Indian Penal Code are triable by this body of Magistrates. Thus it will be seen that it is absolutely necessary to have one full-time paid Magistrate with first class powers for the City, whatever the status or designation is going to be.

A competent and experienced

experienced Amildar will do just as well as an Assistant Commissioner for this place. And the Police may be empowered to hold inquests in all ordinary cases, the more important ones being held by the City Magistrate himself.

3. It is not feasible to get the District Treasury officer or the Divisional Assistant Commissioner to try the first class cases of the City. Both these have their own legitimate work to attend to and any extra work such as is now proposed to give them will

I

I am afraid, only go to
interfere with their work.
It was, if I remember right,
Mr. Basu as the Comptroller,
who took objection to the
District Treasury officer
being saddled with
magisterial work to the
detriment of the Treasury
work. At the time, the
lawyers too complained
that cases tried by the
District Treasury officer
were not disposed of
as briskly as was desirable
and in some cases the
delay was very considerable.

4. Equally inconvenient
it is to tack this on to

any

(Perhaps) Divisional any one of the District Assistant Commissioners. Unlike other Districts, this District consists of Sub Divisions with four Taluks each. The Sub-Division Officer is expected to try all first class cases of his Sub-Division in addition to second class cases also of Taluks which have only third class Magistrates. There are also the first class cases of Malavalli Taluk which are being tried at present by the City Magistrate. Thus it will be seen that ample work can be found for one whole-time

whole-time first class
Magistrate with Head-quarters
in the City.

5. I hope I have
answered all your queries
contained in your letter
under reply

Yours Sincerely

Sd) M. Kantaraj Urs.

"Copy"

SJK(10)
E
1 July"

2

G.R.S. 26]

2345/36

Diary No. of letter replied to

File No. 214-10

Serial No. 2

No. 501

General and Revenue Secretariat

( CS- )

, the 19

Date of issue 7-8-11

Signed by [illegible]

To

The District Magte
and Municipal Presidents
(1) of 500 (2) of 50
of Bangalore and Mysore
city municipalities

Sir,

I am directed to
state that ~~[illegible]~~ it is suggested
that the Municipal work
at
in the Bangalore and
~~Mysore Cities~~ Mysore may with
advantage be looked after
~~by~~ to the ~~respective~~ City
Magistrates, and ~~[illegible]~~

over.

it has been suggested

SUBJECT.

in addition to their duties

[illegible]
5/8

away with the post of one of
the Vice Presidents to the
City Municipality ~~of~~
each of those places may be abolished
I am to request you
to be so good as to favour
Govt with your opinion
in the matter of thus
Combining the Municipal
and Magisterial functions in Bangalore City
in your ~~respective Cities~~
I have, &c,

USN.
Secretary

SH

CW (111)
1/5/11

DFW
HCz (22)
31.7.1911

*List of enclosures,*

*Copied by*

*Examined by*

GPB—20,000—25-9-10

D.O. Ab 214-10-3

Office of the Deputy Commissioner,
Mysore District,

25th September 11. 191

From

M.Kantaraj Urs Esquire B.A.
Deputy Commissioner, District Magistrate and
President-City Municipal Council- Mysore.

To

C.S.Balasundram Iyer Esquire B.A.
Offg. Secretary to the Govt. of H.H. the Maharaja
of Mysore.- Genl and Rev. Departments.

Sir,

In reply to your D.O. No. J.501/cts 214-10-2 dated 7th 1911, I beg to state as follows:-

For one thing, I welcome this proposed change as this will enable the Deputy Commissioner of this big and important District to pay more of his undivided attention and time to matters more legitimately pertaining to his office. Properly speaking, the City Municipal work requires the services of a whole-time Officer who can devote all his energies and attention to Municipal work only instead of his attention being distracted by any other work tacked on to him. Both of the rather costly Vice-

Vice-Presidents may be done away with and in their places Officers of much smaller pay and status such as a Chief Sanitary Inspector and a Chief Revenue Officer be substituted.
Each of these two Officers should start on Rs. 70/- and rise to Rs. 100/- by annual increments of Rs.5/
While one would be able to look after the Conservancy, sanitation etc., the other would look after the collection etc.
A reduction may also be made both in the pay and status of the E.P.W. Officer. We have now an officer who draws about Rs. 120/ or so and is given a high-sounding name of an Executive Engineer. A Overseer starting on Rs.50/ rising to Rs.70/ by annual increments of Rs.5/ might do quite as well. Beyond road-making and repairing, there is no other work requiring much professional skill or knowledge of engineering.

The present establishment is, in my opinion, also capable of retrenchment. For instance, there are two highly paid ministerial Officers known as ' the Manager' and 'the Collector! I think these are superfluities and may well be abolished when the permanent incumbents retire. The Chief Revenue Officer above referred to, may well look after the duties of both these Officials.

The retrenchments will be possible only if a whole-time Officer of at least an Assistant Commissioner of the 4th

4th class is to be appointed as the President.

But if it is intended to combine the post of the President with that of the City Magistrate, the latter would then require an assistant in the form of a Vice-President who must at least be of the status of an Amildar of the 3rd class, besides the Chief Sanitary Inspector who will look after the Conservancy etc There would be no need for a Chief Revenue Officer in this case as the Vice-President himself should be able to look after the collection work.

The sooner the present system of having two Vice-Presidents is done away with the better in the interests of the Municipal work. The system has had its trial for some years now and my experience is that it hampers work rather than help it.

If the Trust Board is to continue as it is now, involving as it does a great amount of work both in construction and acquisition, it is quite out of question to expect the City Magistrate to do it in addition to his work. Mr.P.Srinivasa Rao who was consulted by me is of the same opinion. I enclose his memo on the subject. Much less can this be done satisfactorily by the Deputy Commissioner of this District, whose legitimate work suffers not a little by a combination of these extraneous duties.

Nothing short of a full-time Officer of at least a 1st class

class Assistant Commissioner's grade can do justice to the combined work of the Municipality and the Trust Board, if it is the intention of Government that the latter Institution shoul continue to exist for some time longer.

I have the honor to be

sir,

Your most obedient servant

Deputy Commissioner

Mysore District.

Vol Jacket

9 28-42
clt 214-10-4

No. 358 Ema 2

Office of the Deputy Commissioner,
Bangalore District.

Dated Bangalore, 28th March 1912.

24

From

B.J.Kumaraswami Naik Esq., B.A.,
District Magistrate and President,
City Municipal Council, Bangalore.

To

C.S.Balasundaram Iyer Esq., B.A.,
Offg: Secretary to the Government of H.H.
the Maharaja of Mysore, Genl and Rev.Deptts.

Sir;

With reference to your letter No.J.500/Cts.214-10-2 dated the 7th August 1911, calling for my opinion in the matter of combining the Municipal and Magisterial functions in the -- Bangalore City, I have the honor to state that in view of the nature and volume of work that the Municipal Vice President and the City Magistrate are required to do in their respective capacities, a combination of the two functions in one and the same officer seems impracticable.

2. The Vice President of the City Municipal Council has to attend to outdoor inspection which keeps him employed during a greatet part of the mornings and for which he is given a -- carriage allowance of Rs.100/- per mensem. The accompanying list gives some of the office duties devolving on the Vice -- President and since it is not possible for the Deputy Commissioner and Ex-Officio President of the Municipality to attend to all correspondence, the Vice President who is immediate charge of the Municipal Office is required to attend to the same, only important matters being submitted to the President. It is ascertained that the office-duties and the Senior Vice President keeps him fully engaged from 12 to 5 P.M. everyday.

3. From the accompanying statement of cases filed and disposed of in the City Magistrate's court during the last 5 years, it will be seen that after the institution of the Bench Magistrate's Court there has not been any appreciable decrease

II 30/3/12 Urgent

19

Secy

From The Deputy Commr & Dist Magte & President City Mul Council Bangalore

To The Secretary to Govt of Mysore & Resident in Bangalore

Dated 29-3-12

Despatched

Received

General No. 358

S. No.

Enclosure No. 2

Letter No. J. 500

As 214-10-2

of 7. 8. 1911.

Furnishing the opinion in the matter of combining the Municipal & Magisterial functions in the Bangalore city

decrease of criminal work in the Court of the City Magistrate, owing to the said Magistrate's jurisdiction having been extended over the 2nd and 3rd class cases arising in the Bangalore Taluk till the same was recently re-transferred to the jurisdiction of the Amildar Magistrate of Bangalore Taluk. Notwithstanding the fact that the work in the City Magistrate's court is not so heavy as to keep the Magistrate engaged for more than 3 or 4 hours a day on an average, it seems to me that the combination of the heavy executive and office work of the Municipality with the functions of the City Magistrate would impair the efficiency of both the offices.

4. Further, the Court of the City Magistrateof Bangalore has always been presided over by a separate officer and the idea of combining the duties of the Senior Vice President with that of the City Magistrae may not be cherished by the intelligent public, considering that the members of the Representative Assembly including a few Municipal Commissioners have been urging for the appointment of a non-official Vice President if not President.

I have the honor to be

Sir,

Your most obedient servant.

District Magistrate &
President, City Municipal
Council, Bangalore.

List of office duties to be performed by the Vice President.

1. The election of Councillors.
2. The holding of meetings.
3. The issue of cheques on bills submitted by the Health Officer and the Municipal Engineer after exercising the necessary scrutiny.
4. The framing of Bye-laws.
5. The imposition of taxes and rates
6. The assessment of the rate payers.
7. The collection of taxes and rates.
8. The keeping of the accounts of receipts and expenditure.
9. The preparation of the Budget.
10. The issuing of house-building licenses.
11. Sale of sites.
12. Land Acquisition Proceedings.

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Bangalore
28th March 1912.

Deputy Commissioner &
President, City Municipal Council, Bangalo

Statement showing the number of cases filed and disposed of during the following five years in the City "Bangalore" Court, Bangalore.

| Year. | Regular cases filed and pre-vious years pending cases. | Regular cases disposed. | Miscel-laneous cases filed. | Miscel-laneous cases disposed. | Remarks. |
|---|---|---|---|---|---|
| 1906-1907. | 825 | 798 | 273 | 278 | Figures as per Register No. 25. |
| 1907-1908 | 1061 | 984 | 439 | -do- | 27 |
| 1908-1909 | 1208 | 1103 | 508 | -do- | 11 |
| 1909-1910 | 1005 | 940 | 510 | -do- | 103 |
| 1910-1911 | 966 | 830 | 511 | -do- | 65 |
| Total:- | 5065 | 4715 | 2303 | 2303 | |

Sd/-C.Narasimha Iyengar P.C.

City "B" Judge,
Bangalore.

"C O P Y"

District "B" Court,
Bangalore City 1st January.

G. R. S. 26]

Cts File No. 214/10

Serial No. 5

*Diary No. of letter replied to*_____

No. J 1513.

General and Revenue Secretariat

( )

, *the* 191

To

The District Magis-
trate of Mysore,

Date of issue 28-11-12

Signed by [illegible] S. Srinivasaraya

Sir,

Adverting to your letter N 516 dated the 15th March 1911, proposing that the Amildar of the Mysore Taluk may be empowered to try cases referred to him by the District Magistrate, I am directed

*over.*

SUBJECT.

to State that ~~Crimcard~~
there is no objection to
~~Cases may be referred~~
to the ~~said~~ Amildar Magistrate trying
as ~~there is no objection~~
to ~~that Course under~~
~~the existing orders~~.
I have, &c,

such cases as may be
specially ~~be~~ referred to him by the
Dist Magistrate

Offg Secy to Govt. 22/11

20/11/12

23/11/12

Drafted
HCS 12
19-11-12

*List of enclosures,*

*Copied by*

*Examined by*

GPB—25,000—8-8-11.